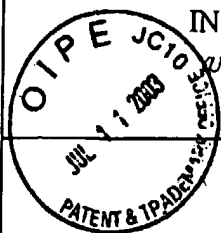


Form PTO-1449

INFORMATION DISCLOSURE CITATION
IN AN APPLICATION

(Use several sheets if necessary)



Docket Number 532572000104

Application Number 09/756,551

Applicant

Casey D. MORROW, et al.

Filing Date January 8, 2001

Group Art Unit 1632

Mailing Date July 7, 2003

U.S. PATENT DOCUMENTS

Examiner Initials	Ref. No.	Date	Document No.	Name	Class	Subclass	Filing Date If Appropriate

FOREIGN PATENT DOCUMENTS

Examiner Initials	Ref. No.	Date	Document No.	Country	Class	Subclass	Translation YES NO
gw	1.	06/1990	EP 0602687	EP			
gw	2.	06/1992	WO 92/10578	WIPO			

OTHER DOCUMENTS

(including author, title, Date, Pertinent Pages, Etc.)

Examiner Initials	Ref. No.	Title
gw	3.	Ansardi, D.C. et al., "Coinfection with Recombinant Vaccinia Viruses Expressing Poliovirus P1 and P3 Proteins Results in Polyprotein Processing and Formation of Empty Capsid Structures" J. Virol. 65(4):2088-2092 (1991)
	4.	Ansardi, D.C. et al., "Complementation of a Poliovirus Defective Genome by a Recombinant Vaccinia Virus which Provides Poliovirus P1 Capsid Precursor In Trans" J. Virol. 67(6):3684-3690 (1993)
	5.	Ansardi, D.C. et al., "Molecular Analysis of Poliovirus Assembly Using Recombinant Vaccinia Viruses to Complement a Poliovirus Genome with a Capsid Gene Deletion" J. Cell Biochem. Suppl. 17 D:22, M301 (1993)
	6.	Ansardi, D.C. et al., "Myristylation of Poliovirus Capsid Precursor P1 is Required for Assembly of Subviral Particles" J. Virol. 66(7):4556-4563 (1992)
	7.	Bass, J.W. et al., "Oral Polio Vaccine: Effect of Booster Vaccination One to Fourteen Years after Primary Series" JAMA 239(21):2252-2255 (1979)
	8.	Bohm, W. et al., "DNA Vector Constructs that Prime Hepatitis B Surface Antigen-Specific Cytotoxic T Lymphocyte and Antibody Responses in Mice after Intramuscular Injection" Journal of Immunological Methods 193:29-40 (1996)
	9.	Brooks, G.F., et al. (eds.), "General Properties of Viruses" Chapter 32 In <u>Medical Microbiology</u> 21 st Ed., Appleton & Lange, Stamford, CT pp.366-388 (1991)
	10.	Chatfield et al., "Construction of a Genetically Defined Salmonella Typhi Ty2 aroA, aroC Mutant

EXAMINER:

Joe W. Datar

DATE CONSIDERED:

6/6/04

EXAMINER: Initial if citation considered, whether or not the citation conforms with MPEP 609. Draw a line through the citation if not in conformance and not considered. Include a copy of this form with next communication to applicant.

Form PTO-1449

Docket Number 532572000104

Application Number 09/756,551

INFORMATION DISCLOSURE CITATION
IN AN APPLICATION

(Use several sheets if necessary)

Applicant

Casey D. MORROW, et al.

Filing Date January 8, 2001

Group Art Unit 1632

Mailing Date July 7, 2003



RECEIVED
JUL 16 2003
TECH CENTER 1600/2900

		for the Engineering of a Candidate Oral Typhoid-Tetanus Vaccine" Vaccine 10:53-60 (1992)
9W	11.	Choi, W.S. et al., "Expression of Human Immunodeficiency Virus Type 1 (HIV-1) Gag, Pol, and Env Poliovirus Minireplicons" J. Virol. 65(6):2875-2883 (1991)
	12.	Conry, R.M. et al., "Abstract from the Nov. 1-4, 1995 10 th Annual Scientific Meeting of the Society for Biological Therapy, Williamsburg, VA" J. Immunol. (1995)
	13.	Evans, D.J. et al., "An Engineered Poliovirus Chimaera Elicits Broadly Reactive HIV-1 Neutralizing Antibodies" Nature 339:385-388 (1989)
	14.	Fox, J.L., "No Winners Against AIDS" Bio/Technology 12:128 (1994)
	15.	Hagino-Yamagishi, K. and Nomoto, A., "In Vitro Construction of Poliovirus Defective Interfering Particles" Journal of Virology 63(12):5386-5392 (1989)
	16.	Haynes, B.F., "Scientific and Social Issues of Human Immunodeficiency Virus Vaccine Development" Science 260:1279-1286 (1993)
	17.	Jenkins, O. et al., "An Antigen Chimera of Poliovirus Induces Antibodies against Human Papillomavirus Type 16" J. Virol. 64(3):1201-1206 (1990)
	18.	Kantor, J. et al., "Antitumor Activity and Immune Responses Induced by a Recombinant Carcinoembryonic Antigen-Vaccinia Virus Vaccine" J. Natl. Cancer Institute 84:1084-1091 (1992)
	19.	Knuth, A. et al., "Cellular and Humoral Immune Responses against Cancer: Implications for Cancer Vaccines" Current Opinion in Immunology 3:659-664 (1991)
	20.	Koch, F. and Koch, G., "Classification" Chapter 2 In <u>The Molecular Biology of the Poliovirus</u> (Springer-Verlag, Vienna) pp.15-24 (1985)
	21.	Ledley, F., "Clinical Considerations in the Design of Protocols for Somatic Gene Therapy" Human Gene Therapy 2:77-83 (1991)
	22.	Mandl, S. et al., "Poliovirus Vaccine Vectors Elicit Antigen-Specific Cytotoxic T Cells and Protect Mice Against Lethal Challenge with Malignant Melanoma Cells Expressing a Model Antigen" Proc. Natl. Acad. Sci. USA 95:8216-8221 (1998)
	23.	McGhee, J.R. and Mestecky, J., "The Mucosal Immune System in HIV Infection and Prospects for Mucosal Immunity to AIDS" AIDS Research Reviews, W.C. Koff et al. (eds.), New York: Marcel Dekker, Inc., 2:Ch. 15, pp.289-312 (1992)
	24.	Moldoveanu, Z. et al., "Immune Responses Induced by Administration of Encapsidated Poliovirus Replicons which Express HIV-1 Gag and Env Proteins" FASEB J. 9(3):A214, No. 1247 (1995)
	25.	Ogra, P.L. and Karzon, D.T., "Formation and Function of Poliovirus Antibody in Different Tissues" Prog. Med. Virol. 13:156-193 (1971)
	26.	Percy, N. et al., "A Poliovirus Replicon Containing the Chloramphenicol Acetyltransferase Gene Can Be Used to Study the Replicon and Ancapsidation of Poliovirus RNA" J. Virol. 66(8):5040-5046 (1992)
	27.	Porter, D.C. et al., "Expression of Poliovirus P3 Proteins Using a Recombinant Vaccinia Virus

EXAMINER:

DATE CONSIDERED:

EXAMINER: Initial if citation considered, whether or not the citation conforms with MPEP 609. Draw a line through the citation if not in conformance and not considered. Include a copy of this form with next communication to applicant.

Form PTO-1449

INFORMATION DISCLOSURE CITATION
IN AN APPLICATION

(Use several sheets if necessary)

Docket Number 532572000104

Application Number 09/756,551

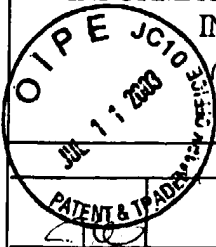
Applicant

Casey D. MORROW, et al.

Filing Date January 8, 2001

Group Art Unit 1632

Mailing Date July 7, 2003

Results in Proteolytically Active 3CD Precursor Protein without Further Processing to 3C^{pro} and 3D^{pol}, Virus Research 29:241-254 (1993)

28. Porter, D.C. et al., "Encapsidation of Chimeric HIV-1-Poliiovirus Minireplicons" J. Cell Biochim. Suppl. 17 D:26, M317

29. Restifo et al., "A Nonimmunogenic Sarcoma Transduced with the cDNA for Interferon Gamma Elicits CD8+ T Cells against the Wild-Type Tumor: Correlation with Antigen Presentation Capability" J. Experimental Medicine 175:1423-1431 (1992)

30. Rueckert, R., "Picornaviridae and Their Replication" Chapter 20 *In Fields Virology* 2d Ed., (Fields, B.N. et al., eds.) Raven Press, New York; pp.507-548 (1990)

31. Verma, I. And Somia, N., "Gene Therapy-Promises, Problems and Prospects" Nature 389:239-242 (1997)

EXAMINER:

Joe W. L. L. L.

DATE CONSIDERED:

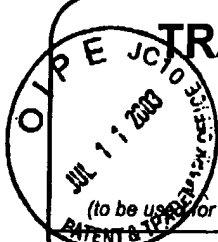
6/4/04

EXAMINER: Initial if citation considered, whether or not the citation conforms with MPEP 609. Draw a line through the citation if not in conformance and not considered. Include a copy of this form with next communication to applicant.

Please type a plus sign (+) inside this box → ☐

PTO/SB/21 (08-00)
Approved for use through 10/31/02. OMB 0651-0031
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.



TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

Total Number Of Pages In This Submission

7

Application Number	09/756,551
Filing Date	January 8, 2001
First Named Inventor	Casey D. MORROW
Group Art Unit	1632
Examiner Name	Joseph T. Woltach
Attorney Docket No.	532572000104

RECEIVED
JUL 15 2003
TECH CENTER 1800/2800

ENCLOSURES (check all that apply)

- | | | |
|--|---|--|
| <input type="checkbox"/> Fee Transmittal Form | <input type="checkbox"/> Assignment Papers (for an Application) | <input type="checkbox"/> After Allowance Communication to Group |
| <input type="checkbox"/> Fee Attached | <input type="checkbox"/> Drawing(s) | <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences |
| <input type="checkbox"/> Amendment / Reply | <input type="checkbox"/> Licensing-related Papers | <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) |
| <input type="checkbox"/> After Final | <input type="checkbox"/> Petition | <input type="checkbox"/> Proprietary Information |
| <input type="checkbox"/> Affidavits/declarations | <input type="checkbox"/> Petition to Convert to a Provisional Application | <input type="checkbox"/> Status Letter |
| <input type="checkbox"/> Extension of Time Request | <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address | <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):
Return postcard |
| <input type="checkbox"/> Express Abandonment Request | <input type="checkbox"/> Terminal Disclaimer | |
| <input checked="" type="checkbox"/> Information Disclosure Statement; PTO form 1449; and 11 References | <input type="checkbox"/> Request for Refund | |
| <input type="checkbox"/> Certified Copy of Priority Document(s) | <input type="checkbox"/> CD, Number of CD(s) _____ | |
| <input type="checkbox"/> Response to Missing Parts/ Incomplete Application | Remarks | |
| <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53 | | |

SIGNATURE OF APPLICANT, ATTORNEY OR AGENT

Firm or Individual Name	Kate H. Murashige, Registration No. 29,959 Morrison & Foerster LLP 3811 Valley Centre Drive, Suite 500; San Diego, CA 92130-2332
Signature	<i>Kate H. Murashige</i>
Date	July 7, 2003

CERTIFICATE OF MAILING BY "FIRST CLASS MAIL"

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on July 7, 2003.

Ruth Saskowski
Ruth Saskowski

Burden Hours Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Box Patent Application, Washington, DC 20231.

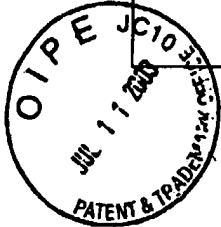
sd-135691

PATENT
Docket No. 532572000104

CERTIFICATE OF MAILING BY "FIRST CLASS MAIL"

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to:
Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on July 7, 2003.


Ruth Saskowski



RECEIVED
JUL 15 2003
TECH CENTER 1600/2900

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In the application of:

Casey D. MORROW, et al.

Serial No.: 09/756,551

Filing Date: January 8, 2001

For: ENCAPSIDATED RECOMBINANT
POLIOVIRUS NUCLEIC ACID AND
METHODS OF MAKING AND USING
SAME

Examiner: Joseph T. Weitach

Group Art Unit: 1632

SUPPLEMENTAL INFORMATION DISCLOSURE
STATEMENT UNDER 37 C.F.R. § 1.97 & 1.98

Assistant Commissioner for Patents
Washington, D.C. 20231

Dear Sir:

Pursuant to 37 C.F.R. § 1.97 and § 1.98, Applicants submit for consideration in the above-identified application the documents listed on the attached Form PTO-1449. Copies of the documents, numbers 1-2, 7, 9-10, 12, 15, 20, 25, and 29-30, are also submitted herewith. Copies of all other documents were previously submitted in an Information Disclosure Statement and/or Office Action, directed to the related applications, Serial Number 09/376,184, filed August 17, 1999, Serial Number 08/987,867, filed December 9, 1997, and Serial Number 08/389,459, filed February 15, 1995, and, accordingly, copies are not included herewith. This protocol conforms

with 37 C.F.R. §1.98(d) and M.P.E.P. 609(A)(2). The Examiner is requested to make these documents of record in the application.

This Information Disclosure Statement is submitted:

- ☒ Within three months of the application filing date or before mailing of a first Office Action on the merits; accordingly, no fee or separate requirements are required.
- ☐ After receipt of a first Office Action on the merits but before mailing of a final Office Action or Notice of Allowance.
 - ☐ A fee is required. A check in the amount of * is enclosed.
 - ☐ A fee is required. Accordingly, a Fee Transmittal form (PTO/SB/17) is attached to this submission in duplicate.
 - ☐ A Certification under 37 C.F.R. § 1.97(e) is provided below; accordingly, no fee is believed to be due.
- ☐ After mailing of a final Office Action or Notice of Allowance, but before payment of the issue fee.
 - ☐ A Certification under 37 C.F.R. § 1.97(e) is provided below and a check in the amount of * is enclosed.
 - ☐ A Certification under 37 C.F.R. § 1.97(e) is provided below and a Fee Transmittal form (PTO/SB/17) is attached to this submission in duplicate.

Applicants would appreciate the Examiner initialing and returning the Form PTO-1449, indicating that the information has been considered and made of record herein.

The information contained in this Supplemental Information Disclosure Statement under 37 C.F.R. § 1.97 is not to be construed as a representation that: (i) a complete search has been made; (ii) additional information material to the examination of this application does not exist; (iii) the information, protocols, results and the like reported by third parties are accurate or enabling; or (iv) the above information constitutes prior art to the subject invention.

In the unlikely event that the transmittal letter is separated from this document and the Patent Office determines that an extension and/or other relief is required, applicant petitions for any required relief including extensions of time and authorizes the Assistant Commissioner to charge the cost of such petitions and/or other fees due in connection with the filing of this document to Deposit Account No. 03-1952 referencing 532572000104. However, the Assistant Commissioner is not authorized to charge the cost of the issue fee to the Deposit Account.

Dated: July 7, 2003

Respectfully submitted,

By: Kate H. Murashige
Kate H. Murashige
Registration No. 29,959

Morrison & Foerster LLP
3811 Valley Centre Drive
Suite 500
San Diego, California 92130-2332
Telephone: (858) 720-5112
Facsimile: (858) 720-5125